

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALI ABDULLAH,

Defendant.

8:05CR69

ORDER

Defendant Ali Abdullah (Abdullah) appeared before the court on January 5, 2012, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 74). Abdullah was represented by Assistant Federal Public Defender Julie B. Hansen and the United States was represented by Assistant U.S. Attorney Kimberly C. Bunjer. Through his counsel, Abdullah waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and that Abdullah should be held to answer for a final dispositional hearing before Judge Joseph F. Bataillon.

The government moved for detention. Through counsel, Abdullah declined to present any evidence on the issue of detention and otherwise waived a detention hearing. Abdullah proffered he would abide by conditions of release and those imposed in Lancaster County. Since it is Abdullah's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Abdullah has failed to carry his burden and that Abdullah should be detained pending a dispositional hearing before Judge Bataillon.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Judge Joseph F. Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 2:00 p.m. on February 2, 2012**. Defendant must be present in person.

2. Defendant Ali Abdullah is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 5th day of January, 2012.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge